

## NEWINGTON TOWN PLAN AND ZONING COMMISSION

### Public Hearing and Regular Meeting

May 11, 2016

Chairman Frank Aieta called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:00 p.m. in Conference Room L101 in the Newington Town Hall, 131 Cedar Street, Newington, Connecticut.

#### **I. PLEDGE OF ALLEGIANCE**

#### **II. ROLL CALL AND SEATING OF ALTERNATES**

##### Commissioners Present

Chairman Frank Aieta  
Commissioner Chris Miner  
Commissioner Domenic Pane  
Commissioner Robert Serra  
Commissioner Stanley Sobieski  
Commissioner Judy Strong  
Commissioner Michael Camillo-A

##### Commissioners Absent

Commissioner Brian Andrzejewski  
Commissioner John Bottalico-A  
Commissioner Paul Giangrave-A

Commissioner Camillo was seated for Commissioner Andrzejewski.

##### Staff Present

Craig Minor, Town Planner

#### **III. APPROVAL OF AGENDA**

The agenda was approved by consent

#### **IV. ZONING ENFORCEMENT OFFICER REPORT**

Mike D'Amato: You have my report in front of you. I have a couple of things that we talked about at the last meeting that I was here for, that I will go over with you just so that we can kind of close the loop on what we talked about. The last meeting, which was April 13<sup>th</sup>, we talked about the Sloppy Waffle and the fact that it appeared that they had expanded into what was a retail space. I met with the owner multiple times and have gone over her floor plans and sketches and explained to her the process, that she needs to come before this board before she has the ability to expand, and she will be making application by the end of the week to come before you so that you can hear what she has to say and determine whether or not it would be prudent for her to occupy that space. So that was one thing that we talked about. We also talked about a mobile billboard that you had seen along the Berlin Turnpike just south of TGIFridays. I sent a letter to the vehicles owner indicating the manner in which the vehicle was being parked was a violation of the billboard prohibition and asked that they remove the vehicle from its location. I don't know if there are any other complaints. If

anyone has any questions about the report or anything else that they have seen, we can talk about it.

Chairman Aieta: Any Commissioner remarks or questions for the Zoning Enforcement Officer?

Commissioner Pane: Mr. Chairman, I just want to say that the extra work that he is doing on the Berlin Turnpike with the signs and stuff is paying off. It looks like there is improvement, so keep up the good work. Thank you.

Mike D'Amato: I will piggyback on that. We had talked a couple of meetings ago about sending notices to first time sign violators to try to stay business friendly and explain to them that we do currently, for the time being, have a process for temporary signs. I have been sending those out to a couple new businesses, and there are some others that I haven't yet cited, so I have been sending them something that explains that while they are in violation we do have a process, and a couple of those businesses have come in. We have determined that maybe a banner is the way to go instead of a ground sign because with a ground sign they are dealing with the right of way and other things, so we are getting there. It seems to be working, that tactic, but other than that, I don't have anything new to report.

Chairman Aieta: Again, any remarks for the Zoning Enforcement Officer?

Commissioner Camillo: Francis Avenue, Cashway? What's happening?

Mike D'Amato: That is an active blight complaint, so I have something that I am dealing with, with that.

Commissioner Camillo: And the property on Golf, the same owner?

Mike D'Amato: That we are currently litigating, so we are in New Britain Superior Court with that, but on Cashway we have an open complaint on that which basically we are in the research phase.

Commissioner Camillo: The part, right in front of his gate, that's Francis Avenue.

Mike D'Amato: Right

Commissioner Camillo: That used to cross the tracks right there. That's not his.

Mike D'Amato: I have some of the right of way maps, and I have looked at the original approval that was granted by this Commission and then the modification that was granted by this board, there's a long history there, so we are trying to figure out all that is going on, what approvals are still in place, what was modified, and we will figure out how to move forward from there.

Chairman Aieta: We're actually waiting for (inaudible) on one of the cases before we proceed.

Commissioner Sobieski: Mike, a question. If the property in front of his business is town property, which I believe it is, why is the vehicle still there? Why aren't they being towed? Just asking a question, compare this to unregistered vehicles there, I'm sure they are unregistered in the front of his property.

Mike D'Amato: They are in the right of way to the blight code, you can cite abandoned vehicles through the blight code, but the property owner is the one that owns the violation and so while we all know where those cars belong, they are not plated, so I can't necessary return ownership, so really I think the most appropriate course of action would be to talk to another entity within the Town of Newington that has better jurisdiction over the right of way and ticket vehicles that are being left in the right of way, so no different than if you left a car by the side of the road elsewhere, and that is essentially what we are doing there, we are exploring that, and hoping that other departments will be instrumental in getting those vehicles out of there.

Commissioner Sobieski: I know several of the neighbors have come down to see both you and Craig about that. It's just getting more and more....I know he has one jacked up with no tires on it, it looks like a burnt out wreck out there.

Chairman Aieta: We have two problems with the same owner, one that is in court and a decision should be made by the judge on the personal property, and once that is cleared up we can, there is a problem going after him on both pieces at the same time in the eyes in the court.

Commissioner Sobieski: I understand, I'm just saying that there were several other neighbors.....

Chairman Aieta: We're not letting this one go.

Chairman Aieta: Anyone else?

V. **PUBLIC PARTICIPATION** (for items not listed on the agenda; speakers limited to two minutes.)

Gail Budrejko, 21 Isabelle Terr: I just have a question. I know you were considering a change in zoning for open space, I was just wondering what the current status is of that? It is an item of interest to many residents.

Craig Minor: That is one of the projects that staff is working on. We will probably bring it to a head fairly soon with the new Zoning Commission and I think once we get through with the Zoning regulation review in the next month or so, I will probably be bringing it back to the Commission at that point. So, a month, about a month probably, a month and a half at the most.

John Bachand, 56 Maple Hill Avenue: Do we allow any discussion of the Alumni Road topic? I know it is on the agenda, sometimes you allow it, sometimes you don't. The only reason I ask is that I think there are a few people here, I think they would probably like to talk about it too, but I shouldn't be allowed to talk about it if they can't.

Chairman Aieta: It's on our agenda under New Business and a report by the committee to the Zoning Board, and there will be discussion among the Commissioners. There will be a public hearing once we approve this process, and we would like to have the public come in under those procedures, under a public hearing portion and state they're in favor or against it, it's part of the record, part of the public hearing. So, basically this report that they have tonight is basically for this Commission, the full Commission and then we will tell you the steps that we are following from that point on. There will be public hearings, and there will probably be more than one. We will probably be leaving it open for several meetings, so that it gets a thorough review.

Rose Lyons, 46 Elton Drive: A couple of meetings ago I had mentioned something about McDonald's, and the entrance on the south side that I thought had an entrance sign to it. I did check it out, and I want to retract that statement. There is no entrance sign any longer, now it just says Welcome, or something like that. I know that it is a dangerous place and I know that at some point in time it will be addressed, but just wanted to rescind my remark.

Chairman Aieta: That will be addressed under New Business, item C on the agenda tonight.

Rose Lyons: I just wanted to clarify....

Gary Bolles, 28 Burdon Lane, Newington: I have a 90 year old neighbor who lives at the end of Vincent Drive, and every morning he walks out Vincent, he walks down Cedar, and then proceeds south on Willard. My friend Wayne was going to work this morning and actually saw this gentleman fall into the roadway. Wayne immediately stopped and called the police, and the police came. What I am trying to get at is that I really am a proponent for sidewalks on the south side of Cedar Street from Vincent to Willard. Now if he had been walking on the sidewalk or in the roadway on Cedar Street, he could have fallen into the roadway and God knows what would have happened, so I just wanted to (inaudible). Thank you.

Joanne Massa, 57 Vivian Street: I was not here at the last meeting in regards to the chickens, I know that you had said something to me that there would be a public hearing, did that come to fruition?

Chairman Aieta: No, we put, because of the amount of material that was on for the last hearing, we were here until 11:00 o'clock, we put it off until we cleared the calendar of some of the items that are on now. I just talked to the Planner, we will be revisiting that....

Craig Minor: At the Commission's pleasure, it could be next meeting, or the meeting after that.

Joanne Massa: I just wanted to make sure that I didn't miss anything, okay. Thank you very much.

Craig Minor: You could have called, in fact this is for the general public, if you have any questions, you don't need to wait for two weeks, you can call the staff to find out what is happening.

Joanne Massa: Got it. Thank you.

Chairman Aieta: Anyone else from the public?

**VI. REMARKS BY COMMISSIONERS**

None

**VII. PUBLIC HEARING:**

- A. Petition 06-16: Zoning Text Amendment (Sections 1-4) TPZ, applicant/contact. Continued from April 27, 2016.**

Chairman Aieta: These are changes in our regulations that we are taking in phases. This Commission is the applicant, so I will turn it over to the Planner for some explanation of where we are at this point. This is a continuation of a hearing that we had on April 27<sup>th</sup>.

Craig Minor: This is a project that TPZ has been working on for the past year and a half. It started out, and it still is really, just an intent to go through the regulations page by page to find any small things that needed to be fixed, either because of changes in the statute, or maybe the Commission realized that the regulation wasn't working the way it was meant to. Nothing major, just house cleaning basically. For example, we found out a while ago that any regulation that claims to give the TPZ the ability to waive a regulation, turns out that is not legal, we can't do that, and there were several dozen places in the regs where the Commission gave itself the ability to do that, so those have been taken out, so it was that kind of housekeeping.

Chairman Aieta: I'll open it up to the public, any one here wishing to speak in favor of this application, please come forward, state your name for the record.

John Bachand, 56 Maple Hill Avenue: Would this be the appropriate time to just talk about the petition?

Chairman Aieta: Sure.

John Bachand: Does everyone have the paper? If you could just turn to one thing, regarding my whole talk about private stables. On page 7, it appears, I didn't hear any discussion on this, I'm assuming that the Planner just added this 3.4.2, it says, land and accessory buildings associated with a private residence may be permitted by the Commission for private equestrian use. So, the underlying section is the newly added text, is that correct?

Craig Minor: Right. The bold underlined is new, yes.

John Bachand: So that causes a problem for me in my quest to have the option of having accessory animals if you will, or however you want to put that, because it specifies equestrian. Previous to that, it just said, when located not less than 100 feet from the property line. So, if we just drop that, it's one big part of my issue that would be over with, and again, I didn't hear any discussion about it. I don't know if everyone talked about it or if it was strictly just a recommendation by the Planner. If anything, that makes that whole possibility that much more difficult. I mean it limits it to just the largest possible animal that you could have basically. Then the other thing is, the one hundred feet from the property line, now this is for one extra animal per acre. It says, one hundred feet from any property line and it also includes buildings and land, so in other words, if you own a stable, you couldn't let your animal within 100 feet of the property line, but if you look at the farm regs, for a farm you need five acres, which you all know that is on page, looks like 2, but it's 3.1.3. So this is where I think it is unfair or unrealistic because of the farm regs, where there is no limit on how many animals you could have. If you have four acres you could have one animal per acre, but if you have five acres, there is no limit what so ever. You could even have a slaughter house if you are slaughtering your own animals, but it specifically says 100 feet from any dwelling on an adjacent lot. So, that's where that 200 feet, if you just imagine 200 feet, a builders acre is 40,000 square feet, 200 x 200. You couldn't possibly have an animal on that lot because you would be less than 100 feet, or you would be at 100 feet exactly to the property line. Of course if your neighbor's house was 50 feet off the property line, like the farm reg, which I think a farm is much more impactful on the neighborhood than a single animal, you know you would have to be 100 feet from a dwelling. So some people, like I live

on Maple Hill, some of these lots are 1400 feet long, they go from Maple Hill all the way to the train tracks, there are no houses back there, but they couldn't possibly have, some of them have just under five acres, say 4.5 acres, they couldn't have a single animal on there, because their lot is 150 feet wide, there is no possible way they can stay within 100 feet of the property line. I think that is a reasonable thing to point out that with a private stable it is 100 feet from the property line and on a farm, it's 100 feet to a dwelling. That would actually solve some of my issues right there, if we could make those two consistent. The Planner might say that the farm should be 100 feet from the property line, not just a dwelling, but I think if you went consistent with the farm, and again, the farm is much more of an impact than a single animal could be. Again, if you have 4.5 acres, you might not be able to even have one single animal, if you have 5.1 acres, you have unlimited amount of animals. I don't think it is unreasonable to point that out, and I hope that you give it some consideration, and again, that underlying part in 3.4.2 that narrows it down and makes it so that not only the stable itself, or the barn if you will, has to be 100 feet from the property line, but also any land in the use of that animal. If you have a 210 foot property, you would only have a ten foot strip in the middle width wise, but most lots, with excess land, and I appreciate you giving me a little bit of extra time, most lots with extra land are usually deep, they are not wide, because frontage is such a value, so again, I hope you will give it some consideration. Thank you.

Chairman Aieta: Anyone else in favor of this application? Seeing none, is there anyone here in opposition to this application? Seeing none, does the Commission have any questions, remarks, comments on the regulation as it stands.

Commissioner Pane: I have a question for the Town Planner. If this is closed and moved to Old Business, can the Commission make any minor changes to this before it approves it, or not?

Craig Minor: Minor changes, yes, ideally if they had already been discussed at a public hearing, if it's a substantial change, then it would be best to reopen the hearing.

Chairman Aieta: If there are going to be any changes to the regulations, then I prefer that it be done in a public session, so it is part of the public record.

Craig Minor: So people would have a chance to respond to that suggestion.

Chairman Aieta: Any other Commissioner remarks? Not to get into a debate with you John, but the language that we put in specific to a private stable was a clarification of the regulations pertaining to private stables, which are houses for horses. You are trying to quote two different portions of the regulations to come up with a situation that fits your piece of property and it doesn't. You need five acres of land to have a farm, and I don't believe that you have the required five acres to fit under the farm regulation where you have unlimited amount to basically do whatever you want on it. It's specifically worded like this because we are in a residential zone, your lot is 150 or maybe 200 feet and that is the problem, it's too close to your neighbors. That is why the farm regulations require five acres. I think you are trying to take one section of the regulations and apply it to the other to try to fit your specific needs on your property and I don't think it works. Any other remarks by Commissioners? Okay, John, you can come back up.

John Bachand, 56 Maple Hill: I agree, I am trying to make it fit my property, that's true. What this, you know, you said any changes would have to go through the public hearing, but this is a change that I believe that just the Planner added. I didn't hear any discussion on that.

Chairman Aieta: There was discussion on this, I remember discussing this specific item in relation to the clarification of the private stable. Why this language was put into the regulations to clarify some of the language here, specially private stables that house horses. Not sheep or goats or other animals, it is specific to horses.

John Bachand: When I think of a stable at the Kentucky Derby, I specifically think of horses, when I think of a stable in the North Star and the story of Christmas, I don't think of horses.

Chairman Aieta: No one would fall under this regulation that would pertain to farms.

John Bachand: Well, originally it was called private stables, it didn't have any language about horses, and all of a sudden we added the horses which took all other animals out of the equation.

Chairman Aieta: And that was the reason we put it in there, to clarify the regulations that it is specific about horses.

John Bachand: So you are saying that originally on 12-1-01 it was, the spirit of the reg was all horses.

Chairman Aieta: Right.

John Bachand: I just think that all, I looked at all the properties in town, measured every one that I know have horses, and everyone except for Mr. Stoddard up on Fenn Road is now non-conforming, so I remember that there was a discussion with the auto reg uses, and you didn't want to make that non-conforming, you just made every property that has a horse that I could find, that I know of, non-conforming because none of them are two hundred feet wide.

Chairman Aieta: If there are complaints to the ZEO then we have them get rid of the horses, but until that time, then, this is complaint driven.

John Bachand: Then non-conforming is kind of like grandfathered in....

Chairman Aieta: Well non-conforming, why we use the term non-conforming is that eventually that we want it to conform, and the way that that happens.....

John Bachand: I understand, so if the property changes hands or something,

Craig Minor: Well, not if it changes hands, but ....

Chairman Aieta: The spirit of the law is that we are trying to eliminate non-conforming as they.....

John Bachand: You actually created the few that I could look up.

Chairman Aieta: Well, I'm not privy to who has a horse, I'm not out there counting.....

John Bachand: There aren't too many left. Thank you.

Chris Bachett: 53 Maple Hill Avenue: I'll be honest, I haven't followed this that closely, but I will make a general comment and from that perspective is there anything that we can loosen

the ability to have animals and so forth without having a business, for example John has a huge property and no neighbors for a long distance so, that was my comment, not just for him, but for any resident who would like it too.

Commissioner Serra: Just for the record, I'm looking at the statute the way it stands now before the changes. The only thing, language that was added is, "land and accessory buildings associated with private residence may be permitted by the Commission for private equestrian use." From that point on, when located not less than 100 feet from any property line and having a minimum size of one acre for each animal in addition to the minimum lot area required for the zone in which the property is located. That part is the exact same in the potential new regulation as it was in the old one. It's word for word. I'm just saying that for the public and so everybody understands, the beginning of it was changed, but the regulation itself did not change, we are clarifying.

Chairman Aieta: Yes, we added that particular language to clarify the private stable. If you go further into the regulation, one portion talks about acreage, specifically says, barns, riding rings, corrals and accessory facilities, so you are talking about raising horses, you are not talking about farm animals. Specifically this section of the regulations is specific to horses. Anyone else from the Commission? What is your pleasure with this regulation.

Commissioner Pane: I think that we should close this and move this to Old Business for action next meeting.

The motion was seconded by Commissioner Sobieski. The vote was unanimously in favor of the motion, with six voting YEA.

## **VIII. APPROVAL OF MINUTES**

Regular Meeting of April 13, 2016

Commissioner Sobieski moved to accept the minutes of the April 13, 2016 regular meeting. The motion was seconded by Commissioner Miner. The vote was unanimously in favor of the motion, with six voting YEA.

## **IX. NEW BUSINESS**

### **A. Alumni Road Traffic Signal Committee Report**

Commissioner Pane: Chairman and fellow Commissioners, Stan and I have been working very hard on trying to figure out how we could solve the problem over at Alumni Road. Let me just start by saying our driving force was safety, safety, safety. It had nothing to do with any potential development that could occur. We weren't looking for development, we were just trying to fix an old problem that has been around for a long time. I remember when my kids went to the high school there, we told them never to go through that way because Alumni was so dangerous. It still hasn't been resolved yet. One of our main concerns was to make sure that residential property was not going to be taken. We wanted to make sure we could do this without taking anybody's property. We also, we've taken this plan, in a few minutes I'm going to turn this over to Stanley and he'll go through the plan. We've shown this plan to Lt. Morgan at the Police Department, he's reviewed this and the Fire Marshal has reviewed our plan and they agree that this is a serious situation over there and they agree to the method that we have come up with. So at this time I'm going to turn it over to Stanley and let him explain the plan that we have come up with. Thank you.



Commissioner Sobieski: Thank you Commissioner Pane. First of all, this is Route 175 heading east/west. This is the present Alumni Road, this is the proposed relocation of Maple Hill Avenue. This volume of traffic on a daily basis is 34,500 vehicles per day. There are 7,000 some odd vehicles coming off of here presently using Maple Hill Avenue. There is, right now, 2000 vehicles coming in and using Alumni as it stands right now, to the VA parking, the high school parking lot, whatnot. The proposed idea was to cap off Maple Hill Avenue to over here, relocate it to the back of these four houses here. Now the DOT has already put out a plan last year, they are going to widen 175 up through here for this bridge over Amtrack. That's already in place. The big key here is that the Town of Newington does not own Route 175, the Department of Transportation does. Therefore, it's under their custody and control. A lot of things that I have seen on Facebook, where people are saying, move it here, move it there, move it everywhere else, the DOT won't let you do that. This is a proposed plan that was wanted here. What we have done is, we have taken their plans and modified it a little bit to extend over to Vincent Drive, which is in this area, I called off this piece of Old Farms here with an emergency gate, fire, police apparatus going in and out only. Taking the signal which is presently at Old Farms, it's called (inaudible) where you put a phase facing westbound and (inaudible) with the other phase over to Cedar Street and Old Farms, so it would be a coordination, so as a vehicle trips that trip, the lights will freeze or lock up, allow people to move in and out. The issue here is that if Alumni Road is open, you will alleviate the traffic in here of about 2000 or 2500 cars per day. Instead of coming down Willard Avenue, going up this way, they would be using Alumni.

We're not taking any personal property here which is a big issue in this town. The property, this piece of property back here was already figured in, these houses were built, knowing that this was going to be put in place. We're not suggesting also that there be a sidewalk that connects all the way through here, crosswalk phase in here, crosswalk phase at Old Farms and Cedar Street. We want to put sidewalks from Vincent Drive down to Old Farms, you just heard Mr. Bolles say that someone fell down there, by putting a sidewalk in at that point, the safety issue avoids someone getting killed there.

There has been a lot of talk, there has been a lot of stuff on Facebook, people are making strong suggestions that this doesn't work. This is again, the key here is that the State owns that road, we do not. I took their plans with a few modifications to it, and that is what we are working on at the present time.

Part of this also, midway up Alumni Road here, the original traffic engineer that the Town had hired, was going to relocate Alumni Road around this way here to where the parking is, so you would move the parking and Alumni Road would swing around. Not taking any property, it's already town property. It would make it safer for people going to their vehicles from football games, lacross games, whatever.

That would be coupled with the idea of putting some stop controls up there, speed bumps at the stop controls, so it would eliminate the speeding going through there, obviously all over town, but this is for here.

So, this is what we have, this signal here, this is a private signal for Textron or whatever it is now, this is a state owned signal here. This piece of property I think is owned by Richard Hayes, and this is basically what we have come up with.

Again, this is a safety issue, you are kind of playing with a loaded deck here because eventually somebody is going to get killed out here.

The traffic volumes are high as they are right now, you need to look at what would be happening in four or five years if the DOT decides what they are going to do with the I84 interchange there in Hartford. The viaduct itself needs to be repaired, whether it is going to come down or not, doesn't matter because people are going to start taking his route across here. The is the east/west connection between Route 9 and Route 15. You are stuck with this. You can't make the traffic go away, waive a magic wand and say, gone. It's not going to happen. So again, a safety issue here for these people living along here, getting in and

out of their driveways, getting out of their houses, and I don't want to see any resident having property taken from them. DOT took enough when they widened the road.

Commissioner Pane: If I could interject, the sidewalk that was going to be installed, at the back of the houses, we also talked about protecting the residents over here, so we are thinking of doing a berm with arborvitae and a fence over here. We also talked about possibly, right at the bend here, that we may have to add some arborvitae to prevent some traffic lights from hitting houses. So we said that there is a possibility for that. We want to do everything that we can to protect the residents that are in the area here, so we want to protect these four houses from any problems in the back, we want to protect the people who are on the side here, we want to protect the people that are at the end of Maple Hill, and we want to protect the people who are at the end of Old Farms Road here. The original plan called for blocking this off and then they were going to take two houses over here, they were going to take two houses, and then have a road going out to Alumni as an emergency. Because the development over here is so large, there are so many houses over there that fire, emergency and our zoning regulations require two exits, so when we reviewed this with Lt. Morgan and the Fire Marshal, they agreed that by adding a dog-leg light at the eastern side, and by putting an emergency gate at the Old Farms, that their needs would be taken care of. So if there was ambulance, fire or police, they could get through there and protect the residents that are in that area. I just wanted to bring that out, that we are trying to protect everybody's property as best we can, but still solve the problem of getting a light at Alumni Road so that we don't take any chances. We're basically playing Russian Roulette with peoples lives when they exit that street, the town knows it's a problem, the state knows it's a problem, and we need to do something about it, without affecting too many houses. We don't want to take their property, we want to make it as safe as possible. Is it the most perfect plan? No, it's not the most perfect plan because it's not a brand new development. If it was a brand new development and it wasn't designed, you could come up with a better plan, but it is what it is. That plan for coming behind the four houses was designed that way specifically so that we could correct this, and for some odd reason it got killed years ago and I think the main reason was that they were going to take the property of the houses over on Old Farms, that was the main reason why that project died. So, our big thing was, let's not take those houses, let's find out if a gate, an emergency gate would be okay for our fire and emergency vehicles, and police and fire have agreed that an emergency gate would solve the problem, and that's pretty much it.

I would hope that you would agree that this is very important and that we could take this to a public hearing. Thank you very much.

Commissioner Sobieski: This here, just so you know, you heard me refer to a DOT project for the railroad bridge, that is in the process of being designed. I don't know if Chris has checked to see how far along it is, but that will take effect here, no matter what happens. So, that has already been agreed to by the State, by the Town, so the best way to do this is to get this piggy-backed on that, or added to it, so this way it is minimal disruption for the people in that area, that's my big concern. I don't want to see these people disrupted any more than necessary. I understand that there will be problems while this is being built, so let's try to look at it. Any questions you might have, please contact me. You have my e-mail and my phone number, or Commissioner Pane. Thank you.

Chairman Aieta: Any Commissioner comments or remarks?

Commissioner Serra: The first thing that I want to do is to thank Commissioner Sobieski, Commissioner Pane for putting all of the work into this, for following through on this and doing all of the research. I am a little familiar with the original plan where they were taking property

and as Commissioner Pane said, the way that this design is now, with the houses and everything already there, this is the best case scenario to clean this up. As Commissioner Pane said, this is not a new development. You can't just say, well okay, we're going to do this. It doesn't work that way. The State is involved, it's their project also, and I'll be honest with you, I avoid that area. I go all the way around, I avoid Cedar Street, I avoid that intersection as much as possible, and I know it's not ideal for everybody and some people aren't going to be happy, but I feel that this is the best possible scenario to fix this. So I want to thank the Commissioners for their hard work on this.

Commissioner Camillo: I agree, you are going to make it a lot safer, even for those four houses. If you have kids that live in those houses, you can put them out front, they can play in the front yard without worrying about it. It would turn into a little park, almost, having a cul-de-sac right in your front yard. It actually would increase the value of the houses now, not being on a busy street.

Craig Minor: This is kind of an unusual project that the TPZ has taken on so there is no right or wrong, except whatever the Commission feels that you could go to the Town Council, you could do that, you could hold a public hearing information session on this.

Commissioner Pane: What I would like to do if the Commissioners are open to it, is I'd like to hold a public hearing for the public to come in, I would like to make sure that we mail out notification to everybody in the areas that are impacted so that everybody is aware, and leave that meeting open for at least two meetings, and get additional public input. We had some meetings, informal meetings to get ideas and concerns, but naturally it was impossible for Stan and I to go to every house and find out everybody's opinion, so I think it would be important to have that public hearing here, get additional input before we send it up to the Council.

Chairman Aieta: What would be your pleasure as far as a time to put it on the agenda?

Commissioner Pane: Is there time for the next meeting? Would two weeks give you enough time or no?

Craig Minor: There is no statutory requirement because it is a public information meeting, so the question is, what else is on the agenda for your next meeting? The table has been set to have the hearing on the LID regulations, no, sorry that's not true, the next meeting we are going to have the auto related text amendment, the other half of the zoning text amendment, but that is at your pleasure, you can certainly postpone that, so I'd say the agenda is fairly light for that meeting if you want to do it then.

Commissioner Pane: I think that I would like to because we are under a little bit of a gun with the State, trying to get this up to the Council in time, to get it to the state for funding if possible, so I know it's putting a few of our other projects aside a little bit, but I would appreciate it if the Commissioners would agree that we could have it at the next meeting, provided that the Town Planner has enough time to notify everybody in the Old Farms area, the Vincent Drive area, and X amount of feet down Maple Hill Avenue, I'm not sure how far we should go.

Craig Minor: Well, that is, I'm thinking about my poor secretary who may be home watching this on TV, you're talking about what, maybe 100 envelopes?

Commissioner Pane: A 100, 125, people to notify yes.

Craig Minor: That is going to take some time, but I guess we will be able to do it in time for two weeks from now, but how far in advance of that meeting will the person get this letter?

Commissioner Pane: Well, we probably would want it to go out this next week coming up so that they get it at least a week ahead of time.

Craig Minor: Agreed. Okay, all right, I'll promise that on her behalf.

Commissioner Sobieski: The other thing that I failed to mention, and I probably should have is that this is an 80/20 project, 80 percent federal and 20 state, should be no town dollars involved in this.

Chairman Aieta: We just want to make sure that we do the notification and we do throw a wide enough net that we catch as many people as we can, so I think it's going to be more than 100.

Commissioner Sobieski: I think you have Burdon Drive also, Vincent.

Craig Minor: I'll consult with Commissioner Pane to get the list of streets that Commissioner Pane thinks we should add.

Commissioner Pane: I'll be happy to work with you on that, and I want the residents to know that after the Town Planning and Zoning has a public hearing, and we send it up to the Town Council, I'm sure they are not going to do anything on it until they have their own public hearing on this, so you are going to have multiple chances to address any concerns, either at the TPZ level, or at the Council level. Thank you.

Chairman Aieta: So we will put that on for the next meeting. If we have to, we will keep it open for a couple of meetings. We have enough information and the public will get enough information to try to satisfy some of their concerns.

**B. Petition 16-16: Sec. 8-24 Referral for Town Center Streetscape Program Phase VI (Constance Leigh Drive.)**

Craig Minor: There is a memo that I brought tonight that is on the table when you sat down, listing the changes that will be made to the plan as the Commission asked for them. There is a draft motion to approve in that packet also. If anybody has any questions or wants clarification, I can try to provide that.

Chairman Aieta: Just for the record, I got some feedback that there was some misunderstanding as to the role that the town Planning and Zoning Commission plays in an 8-24 referral. It's our role, as the town Planning and Zoning Commission to make sure that projects that go before the town council for the Town of Newington get aired through this Commission. It's that we basically apply the 2020 Plan of Conservation and Development, and we make, try to make sure that projects that are brought forth under 8-24 that we have the opportunity to make comments and hopefully give some helpful information to the Council. In this particular case, it was obvious in the couple of minutes that the Commissioners looked at it that they found several deficiencies in the plan. I just want to make sure the people and the public understand that our role is defined by statute in the Plan of Conservation and Development 2020 Plan that we are responsible for the health, safety and welfare of the Town of Newington residents so our role is defined in that document. If someone would like to take the time to read it, they would not make statements that this

Commission does not have the authority to make these types of long reaching changes to the plans that come before us under 8-24.

Craig Minor: Well, I'll just quickly say, the four changes that will be made to the plan; the safety island proposed for the midblock crosswalk will be eliminated; the proposed bump outs at the midblock crosswalk will be replaced with "cobblestone" bump outs flush with the pavement, as at Market Square; the midblock crosswalk will be closer to the municipal driveway than was indicated on the sketch that I presented to the Commission at the last meeting, so that will make it easier for a northbound bus to pull over and wait without blocking anyone trying to cross the street; and then the last item was a painted line parallel to the curb with distance (to be determined by the Committee) from the curb on both sides of the street to do two things, it will discourage people from parking on the side of the road, but it will define the through lane to be some distance, 12 feet, maybe more, maybe less, because the island has been eliminated between the two lanes there is now some 26, 28 40 feet of width if an emergency vehicle needed to drive down the middle of the road. So we felt that that addressed the concerns that the Commission had.

Chairman Aieta: Mr. Sobieski, you brought up a lot of these concerns at the last meeting, does this satisfy some of your concerns as far as road widths.

Commissioner Sobieski: Yes, the road width should suffice, and the stripping, that should take care of it. My only concern was emergency vehicles coming through without being hindered in any way, shape or form. You do have heavy trucking for Best Market, Keeney Mfg. and the Post Office.

Commissioner Miner: This seems to correct everything that was brought up the last time.

Commissioner Pane: I will agree with my other fellow Commissioners, I think it addressed everything, and it's also good to know that the town staff is going to acquire some grading rights on the side of the road that are necessary to do some of the work, so they are working to get that done and I thank the Planner for all of his hard work on this project. Thank you.

Chairman Aieta: There is a draft motion attached to the memo from the Town Planner.

**Petition 16-16**

**Sec. 8-24 Referral**

**Town Center Streetscape Program Phase VI (Constance Leigh Drive.)**

**Newington Town Council, applicant**

Commissioner Sobieski moved to recommend approval of the Town Center Streetscape Program Phase VI at Constance Leigh Drive."

**CONDITIONS:**

None

The motion was seconded by Commissioner Strong. The vote was unanimously in favor of the motion, with six voting YEA.

- C. Petition 17-16: Site Plan Modification at 2355 Berlin Turnpike (McDonald's Restaurant) McDonalds USA owner/applicant, Eric Dubrule, Bohler Engineering 352 Turnpike Road, Southborough, MA, contact.**

John Kucich: Good evening, my name is John Kucich, I'm a professional engineer with the firm of Bohler Engineering. I was actually before this Commission about ten years ago when this restaurant was originally constructed. McDonald's is looking to make some improvements to the restaurant, particularly to the drive-through. We are requesting modification to the site plan. We have already received a variance from the ZBA to allow for the drive-thru order station to be within 300 feet of the abutting residential structure. For a start, I'd like to just get into the existing site and then go into the improvements so we can show what we are doing and why.

This is just an aerial of the existing site, this over here is the Berlin Turnpike, and at the top of your screen is East Robbins. You will notice that the restaurant is located here, parallel to the Berlin Turnpike. There are potentially two driveways on the Berlin Turnpike, on the northern side, a right in, right out driveway and then an exit only, and then on East Robbins you have a right in only. The side by side drive through, located right here. This is actually one of the very first side by side that was constructed in the state and frankly in the country, that was about the time that they introduced this concept. Since then, they have learned what works well, how it can be optimized, and what improvements should be made to these particular sites. The first side by side drive through, the ordering is the longest part of the process so we have two other stations, thereby eliminating stacking which I think you would agree is a good thing.

One of the issues with this particular site is that there are about seventy feet from the windows to the ordering station. What McDonald's has learned is that, that is not enough room, even as you are done ordering and you move through, then after ordering, it's not as much as it could be because the cars are still back because the food is not ready, so they now have some criteria that they are now set back 100 to 125 feet to allow more time for the food to be ready from the kitchen.

If we could go to the next slide, so what you see here is the proposed site plan. I have also left in red, just so I can point the changes. This is the side by side drive through that I mentioned, on the existing plan. You will notice that they split at this location here, that is about 120 feet which is actually the typical optimal distance to allow this to run as smoothly as possible. That will thereby eliminate any stacking and make sure the ordering is in sync with the kitchen timing and preparation. You will also notice that we have two approach lines. This allows folks to come in from East Robbins and enter this lane, folks coming in from the Berlin Turnpike will enter this lane over here. Now there is a little bit of a weaving situation out there, two cars coming in at the same time trying to go around this red stripe, causes kind of a weaving situation, one car has to stop and that has the potential to cause conflict here, so that design eliminates that problem.

We also worked closely with staff to see what is working well on the site and what wasn't working well so we could make some additional improvements. So beyond the drive through improvements we have added a couple other features. For starters we are essentially rebuilding all of the sidewalks around the site. Over time, as you are all aware, sidewalks can settle, regulations change and we want to make sure if we are complying with all of the regulations. We also have parking located over here and there really isn't a defined path to get to the restaurant. So you will note that we have put a little bit of sidewalk here, and a dedicated path to over here so we give the folks an opportunity to cross in one spot and we define where they should cross. We've added a stop bar, located right here, there is the potential with the site the way that it is today that cars were coming in this way, they want to park in this lot, they could come through uncontrolled while a car was coming in here, again creating a potential conflict point. This will eliminate that by allowing the free flow of traffic from this point here. We've added a striped area in this location, parking stalls are located here today, to make this geometry a little smoother coming around the corner we striped that off to eliminate any parking stalls in front of the trash enclosure, and that also allows the ability to have the larger vehicles in that area.

Finally what we have done, there is an existing fence that is located here to help with screening to our abutter to the west, we're replacing that fence, it's kind of a cedar fence, the original I think from ten years ago, we are proposing a six foot high vinyl fence which will look nice when it is put up, and a whole lot better over the years.

Those are the improvements in a nutshell. There are no improvements to the building, and by that I mean, the restaurant is the restaurant, we're not increasing seats or capacity or anything like that. The driveways are remaining the same, the site is remaining the same, the utilities are remaining the same, it really is a project to improve the efficiencies of the drive through lane and then to improve some of the circulation issues on the site that can be improved, and now is the time to do that.

It was also brought up that you were concerned with accidents on this stretch of road and we were asked if the driveway location was appropriate and to look at that as part of this project to be sure everything was aligned. I took a look at the Connecticut DOT traffic information, there are about 15,000 vehicles per day on that section of East Robbins, the police indicated that there were four accidents along that stretch, over the past 18 months, that equates to about .49 accidents per vehicles. That actually is below average from what the DOT looks at, .6 is what they consider average. So actually, it is below average. That said, any accidents are too many so whatever we can do to improve that we obviously want to do.

We took a look at the driveway, I think the driveway is obviously okay located where it is, it's obviously a restricted driveway only allowing right turns into the site, and no left turns in. We did notice that the sign that was recently located over here, this was a no left turn sign, that sign appears to have been removed, maybe from snow plowing or something along those lines, although it does show up when you look at Google, so it was there recently, but that will be replaced and McDonald's is committed to getting that sign replaced regardless of the action here, actually within the next couple of weeks. There is also a no left turn sign on the other side of the road so that is appropriate.

Some of the changes that we are doing within the site I think will actually help, the stop sign here helps that conflict, someone coming in here, and someone wants to go this way, that stop sign here will control this flow of traffic where this road comes in and will get off the roadway which is a good thing. I think having the two entries to the drive through lane as well, will help, so these folks can enter this lane, and these folks can enter that lane. So really that is an improvement of the existing conditions as well.

Finally what I think is beneficial, right now this stripped area which is red, the cars coming in now, they kind of have to make a decision, do they come in this direction, or do they get into the drive through lane here, but this is going to be pulled back much further as you see here. So I do think that with the improvements that we are making to part of this I believe they will (inaudible).

With that, I would be happy to go into any additional detail and answer any questions that the Commissioners have for the general presentation.

Craig Minor: Could you go over the Town Engineer's letter, there are eleven items that he asked you to address. I believe you have, but for the Commission's benefit, could you go through them? It's the letter dated April 28<sup>th</sup>.

John Kucich: Item number one, they wanted to know some of the queue distances, one of the slides kind of show that to you.

Commissioner Serra: Excuse me, can I make a suggestion? The pointer is not working, if you would just go up and point to the areas that you are discussing?

John Kucich: Sure. There was a question on the stacking. What we have done is to show how many stacking spaces and there are actually fourteen cars stacked from the first

window. The second window will be further up, the first window is the pay window and you are stacking fourteen cars to this location without impacting any of the parking stalls. That is more than adequate for the operation and I think it will work quite well. What you find is that when the side by side ordering, let me step back a little, by having the side by side ordering, you get by the ordering station quicker so the queuing actually happens inside the site instead of outside the site which is a good thing, getting the cars away from the intersections. This is more stacking, you only have about eleven spaces before it impacts the stalls today. So that question was addressed.

The engineering department also wanted to, there are a couple of questions about relocating a light pole. I believe that was back here and that island changed the small configuration there. Beyond that, there were some very minor comments about the pedestrian crossing signs in the crosswalk area. We have added the signs here, and I think all of the comments here were addressed, and we don't take exception to any of them.....right turn only sign at the southerly exit, parking dimensions for accessible parking spaces make sure that those comply with the regulations, boundary surveys should note points found and set on the boundary.

Chairman Aieta: So you have addressed all of the engineer's concerns.

John Kucich: That is correct.

Chairman Aieta: Any Commissioner comments or remarks?

Commissioner Serra: Just a couple of things, one that I noticed, it was in the stacked comments actually, there is concern that during the queuing that one of the two handicapped spaces could be blocked while cars are waiting in the drive through lane. How is that going to be addressed?

John Kucich: We actually did figure from the original plan that was submitted, we did make a change to the stall over here, again, that was pulled back a little bit further and this was pulled back, so again, we have the fourteen stalls up to that point.

Craig Minor: So the plans that the Commissioners have on their desks, which came in a couple of weeks ago are different than what you are showing today, right?

John Kucich: Yes, the original submittal that we had and received staff comments addressed those staff comments which is what we are looking at on the board today. We made a re-submittal of that information. This is the updated plan that shows that. That was part of.....

Craig Minor: Oh, the plan in the packet, I was referring to the large plans on the table.

Commissioner Serra: And then the other concern was, we had a gentleman in here at one of our meetings, the entrance/exit coming out onto East Robbins, that island that is there. A lot of people, there have been some comments that that island, the way that it is situated, cars are running over it, they are bottoming out on it, they are having some problems there. I don't know what we can do to make it maybe highlight that island somehow, or maybe make it more visible, especially at night, what you can do there, but I think that needs some attention.

John Kucich: I drove to the site today, to take a closer look at some of the items, and I think one thing that may help is to have that sign back up over here, but beyond that, this is the sign that I am referring to, the No Left Turn sign that is no longer there. One thing that we



can do is, right now this is just a concrete edge, it's a raised island, that was one thing that was requested from the board when we were here about ten years, what I can do and have seen in other areas is actually paint the curbing yellow. Sometimes when you paint, it could be a reflective paint and it would stand out a little bit more, that might make sense to help with that concern. We wouldn't have an issue with that.

Chairman Aieta: Where is the sign that says No Left Turn?

John Kucich: There are two. There is one existing, there is one over here, and that one is actually in place, this one here is gone which I assume was done by a plow or something like that because it does show up on the street view when you go on Google. They are each pointing in this.....

Chairman Aieta: So people coming down.....

John Kucich: This is an allowed movement coming in. We wanted to restrict this particular movement, so we have one sign here, but we also wanted to have a second one here just in case someone starts to make that turn, they don't see that, for instance, they are looking left, because they want to go left, you want to have one on the left hand side as well. We want to get that back up as soon as possible.

Chairman Aieta: So whatever you can do to the island to make it more visible so people don't run over it.

John Kucich: I think that yellow.....

Chairman Aieta: Something that would be helpful.

Commissioner Sobieski: Quick question, the detention pond or basin is back here, you're not touching that, am I correct?

John Kucich: That is correct.

Commissioner Sobieski: And with the reconfiguration of the island, you are not going to have any water flow changes back there, would that be correct?

John Kucich: That is correct. We're actually decreasing the impervious area of that a little bit too.

Commissioner Sobieski: That was part of the original agreement when they built this, that had to be filtering out the material in the water.

John Kucich: That is correct.

Commissioner Sobieski: With regard to your Left Hand turn sign, you might want to get a hold of the DOT and have the sign relocated in front of the utility pole, and not behind it. It's only a suggestion. You might want to have that done and put up a larger sign, I think that is 24, you might want to go to a 34 or 36. You might request that from a safety issue. I see that all of the time when I go by there, people just stopping and making left turns, and it is dangerous.

Commissioner Miner: Just one thing quickly, is there any way to address the radius on that island that would be more conducive to a right turn only? To sharpen that arc up a little bit? Speaking for myself, I come off the turnpike and haphazardly have taken a left into there, you can do it.

John Kucich: The geometry is such that you can. A, you want to keep it open for the larger vehicles, I don't think you would want to restrict the folks taking a left out.

Commissioner Miner: Right, but if you sharpen up that turning in angle, sharpen the left angle on the island itself, that left angle, a little sharper, so you don't have such a wide throat when you are coming off of the roadway.

John Kucich: So you are talking this throat here?

Commissioner Miner: No, on the other side. So if you are coming down, and you are trying to take that left, the road is so tight that you really can't get at it correctly with that angle. I've seen several cars actually damage oil pans running up on the island, yes, possibly putting some reflective paint might help, but that roadway through that area originally was single lane, and since they redid it last year, they have turned it into two lanes there, so now everybody is looking way to the right for the No Left Turn sign.

John Kucich: Yes, it's two lanes to just about the driveway.

Commissioner Miner: It's way to wide, nobody is paying attention, and that was the gentleman's point, that I didn't look to the sign to the right, I was two lanes over.

John Kucich: We want to get the one to the left back up there too. I think that comment, moving this forward a little bit is a good comment, certainly getting this back makes sense, I think we can make that yellow, otherwise reflective, and with the stop sign right here, we can add a Do Not Enter on the back of that stop sign.

Chairman Aieta: I've seen people use this.

John Kucich: That is what I would suspect, if someone is coming in there, this is a much easier move coming in this way, so I think the sign would help that. I don't think we would want to shorten that up a little bit.

Chairman Aieta: That is an allowable movement.

John Kucich: It is, and I think you would want that movement, you don't want folks coming out, leaving and making a U-turn to go back the other way. I do think with the signage, and the signage relocation, putting the sign back, adding that extra sign, and painting that curbing I think will go a long way to compliment the internal movements.

Commissioner Camillo: Ten years ago when this was approved, that island was designed so that your delivery trucks could get in, the tractor trailers. If you move that curb there, they can't get in. If you change the radius, they might not be able to get.....you really don't want to change it, just make it visible so that cars don't hit it.

John Kucich: Correct.

Chairman Aieta: So would you make those changes to your plan so those things are reflected on the mylars that we end up signing?

John Kucich: Absolutely.

Commissioner Pane: Can we go back to one of the earlier slides? Yes, that one. I had lunch over there on two different occasions to look at the traffic going in and out, and the concerns that I have are we are eliminating one, two, three, four, five, six parking spaces here, one parking space here, and a handicapped and truck parking here, and here. When I was there on multiple occasions, a landscape truck would pull here, and maybe a UPS truck here, and people would still get around, and it would be from the ordering station there would be at least ten cars backing up in two lanes. So here, we've only got spots for three and four on this side, and then we are going to be going this way with any additional ones. I never noticed from the original plan, I never noticed anybody not getting their food and pulling over, I have noticed a couple of times they would pull over into a designated spot over here, and they would bring the food to them occasionally.

I know that this is probably a perfect solution for a brand new McDonald's but this isn't a brand new McDonald's site. I don't know how we are going to address the loss of parking and the loss of the spots for the big trucks because you have UPS trucks, you have FedEx trucks, you have landscapers, and people like that coming in to eat, and I just don't understand how you are going to be able to work that. Thank you.

John Kucich: I can address those. So relative to the stacking, you are correct, there are cars from here, stacking back that way, and that is essentially what the issue is, so even though you have side by side ordering here, which is supposed to get cars through here quicker, the fact that the kitchen can't process that quickly enough, you don't have that much of a distance over here. That's why you slide this up further, so you now have this much more stacking. You are essentially switching the stacking from this side, to this side. So the drive through will actually work more efficiently. You will have less cars in the queue, they will get through there quicker. The stacking will then be on this side, not on this side. It will be very rare to see cars stacked back beyond that merge point. When these operate efficiently we end up seeing where this will work. You will have a car each at the ordering stations, you will have one car in front of it, and then you will have that fifth car potentially would be stacked on the side. Everything else would be over here, so I think that helps in that regard. That's really the main reason that they do this, to make sure that the stacking is appropriate. There are, right over here, there is a designated spot, no matter what you are always going to have, for whatever reason there will be a situation where something ordered will not be ready, you tell those folks to pull up to the stalls on that side, that won't change from the existing conditions, that is still the same, although hopefully that will be lessened based on these improvements.

Relative to the amount of parking, there are 43 parking spaces proposed under this plan right now, and that does comply with the zoning regulations. It also applies operationally. They certainly wouldn't want to get into a situation where they are making improvements and not providing enough parking to operate, so they feel comfortable with that. Additionally in the stripped areas over here is an area for larger vehicles to pull up. Currently those parking stalls, outlined in red as you can see, will be for the larger vehicles when they are on site.

Chairman Aieta: Does that answer your questions?

Commissioner Pane: I don't necessarily agree. If the Commissioners go over there and look at it at lunch time, most of the parking spaces are full, so I don't understand, you might comply with the parking, but if all those spots are taken, then when you take nine spaces

away, and you take several spaces away for trucks, you are going to have more of a problem, in my opinion.

John Kucich: From a parking standpoint, I have done hundreds of these, parking studies on these as well, again the majority of their customers actually do the drive through as opposed to parking. Every year it seems that less people use the parking stalls, and more use the drive through. That's why they make such an investment in the drive through and how it operates. Honestly they don't want to spite themselves by not providing enough parking, they monitor that very closely as well, and they are very confident with the parking on the site. They wouldn't want to do something.....

Chairman Aieta: So per the regulations, you meet the parking requirements with the changes?

John Kucich: We do.

Commissioner Sobieski: I'd like to go back to something that Commissioner Miner said. The island, if you were to take a sliver off of 287 a little and turn the radius a little quicker, you would be able to angle out that island with a point to it, which would make it almost impossible for someone trying to make a left turn. Do you know what I'm talking about?

John Kucich: I'm not sure I followed what you said sir.

Commissioner Sobieski: If you made it more like a tear drop going that way, and you would have to sliver out some of the.....that's it, that's correct, so you would have that point like there, so nobody would be able to make a left turn off of 287. It's a safety issue, you might want to look at it.

John Kucich: I think the bigger issue is folks coming in here.

Commissioner Sobieski: No, it's that one there. That is where we had a couple of instances where as Commissioner Miner referred to, went over and hit his oil pan, or whatever, but if you make that, and they look at it and see that it is impossible to turn, that is going to do a lot more than signage will. Something to think about. You would have to put a sliver out on 287 a little bit, and cut into the curbing a little bit there, and then you would flatten out the curb coming in, you would be able to bring that island to a point, or a T, and that would make it more definitive to be unable to take that turn.

John Kucich: We can take a look at that.

Commissioner Sobieski: I don't think there are any fire hydrants or anything there.

John Kucich: We have some signage and some conduit lighting that is in there, that is somewhat problematic. I can take a look at it.

Commissioner Sobieski: I appreciate it, thank you.

Chairman Aieta: What is the pleasure of the Commission? Move this to Old Business? Leave it under New Business for the next meeting? Do you want to see the changes to the plans before moving it to Old Business?

Commission: Yes.

Chairman Aieta: Okay, we are going to leave this on the agenda as a New Business item, and not move it to Old Business, so come back with some of the changes that we recommended tonight, and have another discussion.

**D. Performance Bond Release at 2897 Berlin Turnpike (Firestone Complete Auto Care)**

Commissioner Pane recused himself from the discussion and the vote.

Performance Bond Release  
Firestone Complete Auto Care  
2997 Berlin Turnpike  
DeLauter Inc., applicant

Commissioner Miner moved to release the Performance Bond for "Firestone Complete Auto Care" in the amount of \$5,232,"

**FINDINGS:**

1. The ZEO has inspected the site and confirmed that the landscaping is now complete.

**CONDITIONS:**

None.

The motion was seconded by Commissioner Sobieski. The vote was unanimously in favor of the motion, with six voting YEA.

**E. TPZ Application Fees.**

Chairman Aieta: I looked at the changes that were proposed, I think they are appropriate, but I will let the Planner explain them to us.

Craig Minor: If anyone has any questions about any specific ones?

Chairman Aieta: Like everything else in this world, prices go up. Some of the items that the Planner has put in this memo to us, some of the extra work that we are doing, on behalf of some of the people, on behalf of the public, is going beyond the point, so some of the fees have to go up to accommodate some of the time that we are putting in.

Commissioner Sobieski: I completely concur. I know that several times the Town Engineer and Mike D'Amato have said they are doing a lot of research and I think since they are doing it that the Town should be compensated for it.

Chairman Aieta: Mr. Minor, do you want a motion to move this back to you?

Craig Minor: Yes, I think a motion to recommend to the Town Council to raise the fees as recommended would be in order.

Commission Sobieski: I will make that as a motion.

The motion was seconded by Commissioner Serra. The vote was unanimously in favor of the motion, with six voting YEA.

#### **X. OLD BUSINESS**

- A. Petition 15-16: TPZ Approval (Section 3.23.1: Accessory Outside Use) for Fireworks Tent Sale at 2985 Berlin Turnpike ("Turnpike Plaza") TNT Fireworks, applicant Brixmore Property Group, owner; Tatiana DeJesus, 46 Doubles Avenue, Yonkers NY, contact.

Chairman Aieta: This was the petition that we heard at the last meeting and we moved it to Old Business for action.

Commissioner Pane moved to approve, with conditions, Petition 15-16: TPZ Approval (Section 3.23.1: Accessory Outside Use) for Fireworks Tent Sale at 2985 Berlin Turnpike ("Turnpike Plaza") TNT Fireworks, applicant; Brixmore Property Group owner, Tatiana De Jesus, 46 Douglas Avenue, Yonkers NY, contact.

#### **CONDITIONS:**

1. The tent shall be located on the northern portion of the property, at Louis Street end, in the single row of parking spaces.
2. Prior to use of the tent, the applicant shall obtain approvals from the Newington Fire Marshal and Building Department.
3. The applicant may place a temporary sign on the Berlin Turnpike.

The motion was seconded by Commissioner Sobieski.

Craig Minor: This was approved with this two years ago, that was what I wanted to bring to your attention, and I think the reason that you did that two years ago was that this fireworks tent is so far off the beaten track that nobody would see it, whereas most of the tents are visible from the Berlin Turnpike, and people can see the tent.

Chairman Aieta: So what are we allowing?

Craig Minor: You said a temporary sign last year, I can change it to one, making it clear that you are allowing one, and they would still need to get a permit from the ZEO for a temporary sign on their property.

Chairman Aieta: Okay, we will allow them to do that because we did it in the past. We want to make sure that there is only one, and that the ZEO is involved in the actual location and approval.

Chairman Aieta: Thank you.

The vote was unanimously in favor of the motion, with six voting YEA.

**X. PETITIONS FOR PUBLIC HEARING SCHEDULING**

- A. Petition 18-16: Special Permit (Section 6.2.4: Freestanding Sign) at 177 Day Street (Newington Veterinary Clinic) Sign Pro Inc., applicant, 177 Day Street LLC, owner, Robert Kuszpa, Sign Pro Inc., 60 Westfield Drive, Plantsville, CT, contact.

Craig Minor: This is the Newington Veterinary Clinic on Day Street. It's been there for a while, and they want to replace their existing sign with a new one, and it's enough of a change to require a new round of public hearings, so I recommend that you schedule this for your next meeting.

**XI. TOWN PLANNER REPORT**

- A. Town Planner Report for May 11, 2016.

Craig Minor: No report this month because most of the things that would be in my report are actually agenda items.

**XII. COMMUNICATIONS**

- A. CRCOG Zoning Amendment Reports

Chairman Aieta: We got our standard CRCOG Zoning Amendment reports of what is going on in the town around us. That is part of your package and part of your agenda package.

Commissioner Sobieski: Mr. Planner, did you send the one that I forwarded from CRCOG listing all of their accomplishments?

Craig Minor: Earlier today, yes.

Commissioner Sobieski: I wanted to make sure everybody got that. Thank you.

**XIII. PUBLIC PARTICIPATION (for items not listed on the agenda, speakers limited to two minutes.**

Rose Lyons, 46 Elton Drive: I just had a quick question regarding the Alumni Road matter. Is it going to be a public hearing, or a public information session? I think the Planner used the information session, and you said public hearing.

Chairman Aieta: It's not a public hearing, it's a public information session. There is not an actual petition before this Commission.

Rose Lyons: Just to clarify, because it will be on Facebook tonight.

Chairman Aieta: It will be an information meeting on the Alumni Road, not a public hearing that accompanies an application.

Craig Minor: We will take minutes, it will be recorded.

Shaheena Shan, 39 Maple Hill Avenue: I appreciate, I think we are one of the four houses and I think we will appreciate how the plan is, how it is going to be impacted, because we

didn't hear anything about it until one of our neighbors told us, so I think we will be waiting for the mail.

Chairman Aieta: We will make sure that those houses particularly those four houses get the notification of exactly when the meetings are, but we are going to make sure that we throw a wide net out there to capture as many people as possible in the area that might be interested in this change to the roadway.

Shaheena Shan: The other thing is, where the road is going to open on Maple Hill behind us, I think it is important for all of the houses on Maple Hill, where Alumni Road is going to open, I think it is going to impact them directly because there will be a lot of traffic, and I think we need to involve, you said you are going to send letters, but I think it will be more than 100 houses on Maple Hill Avenue, I don't think people on Maple Hill are aware this is happening, so I think people need to be more aware of it.

Chairman Aieta: Thank you very much and thanks for your input.  
Anyone else from the public wishing to speak?

**XIV. REMARKS BY COMMISSIONERS**

None

**XV. CLOSING REMARKS BY CHAIRMAN**

None

**XVI. ADJOURN**

Commissioner Strong moved to adjourn the meeting. The motion was seconded by Commissioner Miner. The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Norine Addis,  
Recording Secretary